

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

HOLCOMBE, et. al,

Plaintiffs

vs.

UNITED STATES OF
AMERICA,

Defendant

NO. 5:18-CV-00555-XR

(consolidated cases)

REMOTE DEPOSITION PROTOCOL ORDER ORDER

The Court ORDERS that Parties should take remote depositions in this case while the COVID-19 Pandemic precludes in-person depositions. The Court ORDERS that the Parties should abide by the following protocol.

- a. Parties shall serve notice of depositions that outline the remote means of taking the deposition, including the technologies used and how parties should connect to the deposition. An example notice of deposition is attached to this order as EXHIBIT A.
- b. The court reporter shall swear the witness in remotely.
- c. Parties shall use only documents in deposition that have been previously exchanged more than five (5) business days prior to the deposition and uniquely bates stamped. Parties may refer to those documents by bates stamp number and display those documents on the witness' screen, if such technology is used. Should the parties wish to attach documents, Parties will put on the record the bates stamp range of the document and produce the document to the court reporter following the deposition.
- d. The court reporting or IT firm running the remote deposition technology will disable private chats between individuals involved in the deposition.

- e. At the conclusion of the deposition, the witness shall sign the declaration attached as EXHIBIT B to this Order, affirming that no witness tampering occurred.

It is so ORDERED.

SIGNED on this 28th day of April, 2020.

A handwritten signature in black ink, consisting of a stylized 'X' followed by a horizontal line and a small flourish.

HON. JUDGE XAVIER RODRIGUEZ